by Pablo himself. Pablo was furious with rage and beat both his wife and Chapiro. After being thrashed, Chapiro ran away. Pablo's wife left for her father's house to advise him of the event. Her father, Lorenzo Martín is one of the officials or /cá tala/ of the community. As an official, he was empowered to settle disputes and to order. He went to Pablo's house to obtain more details. Pablo demanded punishment for Chapiro. About four days later, Lorenzo brought Chapiro to the house of Pablo's elder brother, and charged him with the crime. Chapiro said nothing in his defense thus tacitly admitting his guilt. Lorenzo ordered one hundred and twenty strokes with the cat-o'-nine-tails, but Beverico who is Chapiro's father's brother's son [*just cousin*] claimed that the punishment was too severe, whereupon the sentence was reduced to one hundred lashes to be applied by Lorenzo. Following the punishment, everyone got drunk except Chapiro, who left right after the whipping.

In the Cayapa view, a conflict of interest in the person of Lorenzo, the father of the seduced woman, and Lorenzo, the official, does not exist. The facts

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to his sister.

Here again, Pablo's determination placed him beyond the pale of Cayapa law. His brother-in-law apparently realized the futility of making a public complaint and unburdened himself only at his wife's funeral.

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Adultery. As with incest, decisions rendered in cases of adultery require a firm declaration on the part of the official trying the case that the behavior is abhorrent and sinful; however, the punishment seems to be somewhat more lax than is the case with incest, and more feeling seems to be present that women are the aggressors in adultery. The following case was witnessed by the writer during the Christmas fiesta at Punta Venado in 1959.

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The philandering captain and his light punishment. The /kapitán/, Gabriel, was in his hammock, quite drunk, and a group of men were standing around him speaking drunkenly in Cayapa. Suddenly, everyone dashed to a corner of the house and looked over to an adjacent dwelling where a fracas was in progress. A woman was beating and berating another woman who offered no

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She told him the story, and when Aurelio returned home, he notified the /ũⁿ⁷i/, Gabriel, and the case was brought up at Punta Venado during Christmas of 1960. Julio Tapullo, looking somewhat embarrassed, stood alone off to one side with his crippled left arm, supported by his right arm, laid across his chest. He was dressed in rather shabby clothing. [Most Cayapa try to wear new clothing to a fiesta.] His wife and Segundo stood somewhat apart in the center of a circle composed of about sixty people. Everyone, including the /ũⁿ⁷i/, was very drunk. Gabriel asked why María had left her husband, and she replied that Julio was not supporting her and that he never bought her cloth and jewelry. Julio flatly denied everything. People in the crowd were saying that Julio could do as much work with his one good arm as most men could do with two. In the discussion between Gabriel and the two culprits it became obvious that they had come into contact quite accidently. Segundo had been out looking for a second wife at the same time that María had left Julio, and they met on the Río Onzole. Gabriel asked Segundo why he had felt he had to look for another wife when he already had three children, but

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Segundo did not reply. In the crowd the murmur went around, "por gusto," for pleasure. [Best translated here as, "for the hell of it."] They both received two hundred and fifty lashes, and as a Cayapa woman does not live by plantain alone, Gabriel advised Julio to spend more money on his wife.

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Again it is seen that Cayapa women are capable of direct action, but much more important, a case of polygyny had been successfully legally quashed. Compare, however, the severity of the sentence with that of Rosenda: two hundred and fifty lashes versus twenty, plus a thirty sucre fine. Cayapa law can handle the "little man." It is almost as if polygyny were becoming quasi-respectable. Gabriel implied that Segundo had no need for another wife, since he had children. The lack of follow-up action directed against the rich and powerful and the severe quashing that Segundo received may signal the formation of a class-structured society wherein polygyny is legally restricted to the wealthy. In any event, the chief in discussing with me all of the on-going cases of polygyny presented above denied his responsibility. He said that even though all of them were living in sin, everything was actually

returned, he found that his pigs were gone. He suspected Perdomo of having taken them, and for one year he questioned residents of the area for evidence. At last he found the Negro who had bought the pigs and he identified Perdomo as the man from whom he had bought them. Lorenzo took this evidence to the late /únʸi/, Arcilio, who returned with him and held a hearing. Perdomo was present, but said very little in his own defense as Ramón, a Negro employee of the man who had purchased the pigs, identified Perdomo as the seller. The pigs had been sold for five hundred sucres, and the /únʸi/ ordered Perdomo to pay four hundred sucres to Lorenzo, fifty sucres to the witness, Ramón, and fifty sucres as a fine to the /únʸi/, who had lost two days work to attend to this matter.

Perdomo was not permitted to keep any of his ill-gotten gains nor, aside from the shame of being uncovered as a thief, was he penalized in any manner. As a rule, irregularities involving pigs are settled quickly. If a pig eats the produce from someone else's garden, for instance, payment is made for the produce without question. Occasionally, however, a quarrel involving pigs may become quite serious as is seen in the following

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and probed and usually found wanting. 000

Cayapa law readily lends itself to a division into Civil and Criminal law. The former is concerned mainly with property (especially land) while the latter is preeminently concerned with sexual behavior and sin. In the realm of Cayapa Civil law, especially in cases that involve land, legal decisions are compromises in the sense that the usurper is permitted limited return on his labor. There is agreement by all parties to the dispute that land as such is owned, but lacking written records, the best proof that a claimant to land ownership has is evidence of his having worked the land he claims. Work is the best validation of ownership, but the land need not be continuously worked; however, as work is neglected, and as memories fade, ownership is contested. Basically, land disputes involve a claim by the usurper that the original ownership is in jeopardy. These claims are always balanced with the claims of the owner and a compromise solution is reached. The land, in effect, is shared for a period of time and the owner is warned that he must continue to work his land intensively or be subject to further challenges to his ownership. Compromise is an effective

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solution and serves to exclude the chief from entangling alliances with one party as opposed to the other. Whether this serves to enhance the position of the chief in his role as third person in the legal process, is not clear. Aubert (1963) believes that mediating decisions foster independence for the third party office, as well as increased prestige. Structurally, the office of /ún^{y}i/ is an independent one that does not permit the formation of alliances with groups that are virtually impossible to form anyway, given the social and psychological structure of Cayapa culture.

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In the legal materials dealing with land it is seen that all of the parties to the dispute were in complete agreement as to the nature of land and its ownership. Conflict does not involve different value positions on the part of the disputants but rather individuals are competing for scarce goods that embody shared cultural values. Polygyny among the Cayapa represents a mixture of competing interests, as in land disputes, and also some lack of agreement as to what the basic issues and values are. Women are valued goods, in a sense, that at present are in scant supply. A compromise solution, as in land disputes, is not

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possible to reach, inasmuch as the religious element of sin is also a factor, and the /ún^{y}i/ cannot condone sin. He must condemn the parties involved in the polygynous marriage. The dispute does not involve a conflict of interests, as in the land cases, but rather new values that markedly conflict with traditional values. The individuals holding the new values refuse to accept an aligned decision, that is, a decision based in effect on an "alliance" with the believers of the traditional values. Ultimately, if the unilateral decision against polygyny cannot be enforced, it is superseded by de facto compromise. Thus, if the parties have been punished once but persist in their sinful behavior, further punishment is left to God, and the polygynous union may continue.

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For cases of incest and adultery, the conflict of interest, although present, is minimal. In addition, conflicting values are not an issue, as no one seriously presents a new value position that encourages incest and adulterous behavior. The nature of incest and adultery is such that a compromise solution, while not impossible perhaps, is improbable. In these cases, where sinful behavior is at issue, the official can adopt a unilateral

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